MULTIMEDIA UNIVERSITY

STUDENT ID. NO.

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2016/2017

EHM3106 – LAW FOR ENGINEERS

(All sections / Groups)

2 JUNE 2017
3.00 p.m – 5.00 p.m
(2 Hours)

INSTRUCTION TO STUDENT

1. This question paper consists of 3 pages with 4 questions only.
2. Attempt **ALL** questions. All questions carry equal marks and the distribution of the marks for each question is given.
3. Please write all your answers in the Answer Booklet provided.

Question 1

a. The term "sources of Malaysian Law" means the legal sources. It is through the legal sources that the legal rules and law in Malaysia are constituted. Malaysian law can be further classified into written law and unwritten law. Identify and elaborate the unwritten law in Malaysia.

[5 marks]

b. Mr. Hamilton, an electrical contractor, is working on a contract to change the electrical panel of Mr. Bruce's double storey house. The work under the contract is due to be completed in 2 days time. As he is running short of time and needs more workers to complete the work, Mr. Hamilton asked John, an 18-year old boy who are waiting to further his studies, to assist him. This is however done without informing Mr. Bruce. Mr. Hamilton promised to pay John after receiving the payment from Mr. Bruce. After the work has been completed, Mr. Bruce paid directly to Mr. Hamilton but Mr. Hamilton refused to pay John. John tried to find Mr. Hamilton but failed. Advise John based on the provision under the Malaysia Contract Act 1950.

[20 marks]

Question 2

a. Kuat Lasak Sdn. Bhd. was constructing a new building for Sekolah Kebangsaan Maju Jaya.

One day, Hero who was walking near a construction site and stepped on broken glasses. He injured his leg and was brought to the nearest hospital by Ali, a worker at Kuat Lasak Sdn. Bhd. using his own car. Rushing to the hospital, to their detriment, the car crashed into a tree and claimed Ali's life. Regardless of that, Hero survived the crash but sustained major injuries.

Under Malaysian legal system Ali's family and Hero want to take legal action against Kuat Lasak Sdn. Bhd. Advise Ali's family and Hero.

[15 marks]

b. Discuss the laws and legal issues relating to Internet Service Provider under Communication and Multimedia Act 1998.

[10 marks]

Question 3

a. The right to the protection of copyright under the Copyright Act 1987 is subject to the nature of the works and its subsistence. Discuss.

[20 marks]

b. Briefly, describe the differences between a contract of service and a contract for service.

[5 marks]

Continued...

Question 4

a) The Board of Engineers, Malaysia (BEM) and the Institution of Engineers, Malaysia (IEM), both have a very important responsibility in promoting the professionalism and dignity of engineers in Malaysia.

i. Discuss the primary role of the Board of Engineers, Malaysia (BEM) and list down the main function of BEM.

[7 marks]

ii. Discuss the primary role of the Institution of Engineers, Malaysia (IEM) and list down the main function of IEM.

[7 marks]

b) Nearly 25 percent of all deaths and total premature mortality and disability for major diseases, morbidity and health problems can be attributed to environmental factors. Environmental factors are diverse and far reaching. It includes exposure to hazardous substances which are caused by pollutants in the air, water and soil, resulting in adverse pollution to the environment. Using your own words, explain your understanding on environmental hazardous substances, pollutants and pollution.

[6 marks]

c) Factories and Machinery Act 1967 (FMA) is one of the laws which is enforced by Department of Occupational Safety and Health (DOSH). The other two laws enforced under DOSH are Occupational Safety and Health Act 1994 (OSHA) and Petroleum (Safety Measures) Act 1984. Explain the key points of FMA 1967 in protecting and maintaining the safety, health and welfare of workers.

[5 marks]

End of Paper